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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,696	11/17/2003	Jon Beecroft	SHP-PT079	5383

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VOLPE AND KOENIG, P.C.
UNITED PLAZA, SUITE 1600
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

EXAMINER

OSMAN, RAMY M

ART UNIT	PAPER NUMBER
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2157

MAIL DATE	DELIVERY MODE
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06/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/714,696

Applicant(s)

BEECROFT ET AL.

Examiner

Ramy M. Osman

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is responsive to application filed on November 17, 2003. Claims 1-21 are pending examination.

Drawings

2. The drawings are objected to because of minor informalities. Applicant is requested to submit formal drawings prior to any issuance of the instant application. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 6,7,19 objected to because of the following informalities:

Claim 6 line 3, change “qu ues” to “queue”; change “th” to “the”; change “interface” to “interface”.

Claim 7 line 2, change “on” to “one”.

Claim 19 line 2, change “include s” to “includes”; change “proc ss” to “process”.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-21 rejected under 35 U.S.C. 102(e) as being anticipated by Blightman et al (US Patent No 7,133,940).**

6. In reference to claim 1, Blightman teaches a computer network comprising:

at least two processing nodes each having a processor on which one or more user processes are executed and a respective network interface (column 4 lines 14-41); and

a switching network which operatively connects the at least two processing nodes together, each network interface including a command processor and a memory wherein the command processor of said network interface is configured to allocate exclusively to a user

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process being executed on the processor with which the network interface is associated one or more segments of addressable memory in said network interface memory as a respective one or more command queues (column 4 line 56 – column 5 line 10).

7. In reference to claim 2, Blightman teaches a computer network as claimed in claim 1, wherein each one of said memory segments allocated as command queues is a contiguous series of memory addresses (column 5 lines 1-25).

8. In reference to claim 3, Blightman teaches a computer network as claimed in claim 1, wherein each memory segment of the network interface memory allocated as a command queue has associated with it a queue descriptor which includes a user process identification (column 5 lines 35-65).

9. In reference to claim 4, Blightman teaches a computer network as claimed in claim 3, wherein each queue descriptor includes an insert pointer identifying within the allocated memory segment the memory address where new commands from the relevant user process are to be written (column 5 lines 35-65).

10. In reference to claim 5, Blightman teaches a computer network as claimed in claim 3, wherein each queue descriptor includes a completed pointer identifying within the allocated memory segment the memory address of the end of the most recent completed command (column 5 lines 35-65).

11. In reference to claim 6, Blightman teaches a computer network as claimed in claim 1, wherein the network interface includes a scheduler configured to identify and schedule any active command queues in the network interface memory (column 6 lines 7-33).

12. In reference to claim 7, Blightman teaches a computer network as claimed in claim 6, wherein the scheduler has two or more run queues with at least one of the run queues being denominated a high priority run queue and at least one other of the run queues being denominated a low priority queue (column 7 lines 1-27).

13. In reference to claim 8, Blightman teaches a computer network as claimed in claim 1, wherein said network interface includes at least one of the following resources: a thread processor, short transaction engine and a DMA engine, and each command queue stored in said network interface memory has associated with it a corresponding one or more virtual resources (column 4 line 56 – column 5 line 25).

14. In reference to claims 9-16, claims 9-16 are network interface claims that correspond to the computer network claims of claims 1-8. Therefore, claims 9-16 are rejected based upon the same rationale as the rejections of claims 1-8.

15. In reference to claims 17-21, claims 17-21 are method claims that correspond to the computer network claims of claims 1-8. Therefore, claims 17-21 are rejected based upon the same rationale as the rejections of claims 1-8.

Conclusion

16. The claims have been given their broadest reasonable interpretation. Applicant is advised that the above specified citations of the relied upon prior art are only representative of the teachings of the prior art, and that any other supportive sections within the entirety of the reference (including any figures, incorporation by references, claims and priority documents) is implied as being applied to teach the scope of the claims.

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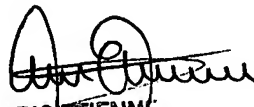
17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached Form 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RMO
June 8, 2007


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
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